



## BORROWER'S AFFIDAVIT

(For Non Mortgage Revenue Bond (MRB) Loans)

I, \_\_\_\_\_, and I, \_\_\_\_\_  
"Applicant(s)", have applied for a home mortgage originated by \_\_\_\_\_, pursuant  
to the Mortgage Program of the California Housing Finance Agency ("CalHFA"), do hereby represent and warrant  
as follows:

1. The residence to be financed with the proceeds of the mortgage loan is located within the County of:  
\_\_\_\_\_ at \_\_\_\_\_
2. The residence is reasonably suitable for occupancy by not more than one family.
3. (I/We) will occupy the residence as (my/our) principal place of residence within 60 days of the closing of the residence mortgage, (I/We) do not intend to, and have not entered into any arrangement to, rent, sell, assign or transfer the residence.
4. This loan is to be FHA insured. Borrower understands that if the Agency, or other holder of the loan takes the home through foreclosure of the Deed of Trust securing the loan because of a failure to occupy as primary residence, or Borrower has committed fraud or intentionally misrepresented himself when Borrower applied for the loan, HUD will not be able to help Borrower. Furthermore, if the money received from the foreclosure sale is not enough to pay the remaining amount of money Borrower owes on the loan, Borrower may, pursuant to applicable laws, be subject to a deficiency judgement (a court ruling that Borrower must pay whatever money is still owed on the loan after the foreclosure sale).
5. (I/We) will not use more than 15% of the total area of the residence or otherwise use the residence primarily in a trade or business which qualifies (me/us) to a deduction for expenses for business use of residence under Section 280A of the Internal Revenue Code, use the residence as investment property and will not receive any income from the residence or the land being purchased with the residence, or use the residence as a recreational residence.
6. All of the land being purchased with the home is required to maintain the basic livability of the residence, and (I/we) have no intention of subdividing such land or otherwise selling it apart from the residence.
7. (I/We) have submitted to CalHFA a true and correct copy of the purchase contract together with all other agreements which (I/we) have entered into with the seller of the residence.
7. a. The Acquisition Cost\* of the residence as shown in the purchase contract is \$ \_\_\_\_\_. Neither (I/we) nor anyone on (my/our) behalf has made any payment other than such amount to the seller of the residence or to any other person on behalf of the seller, nor have (I/we) cancelled any debt of the seller or any related person of the seller.
- b. (I/We) have not entered into any agreement with the seller of the home, the developer, the contractor, or any other person pursuant to which any portion of the residence has been left unfinished or any fixtures or other architectural appointments have been omitted or removed from the residence in order to reduce the Acquisition Cost, and the home as sold to (me/us) is substantially complete and contains all appropriate fixtures and other architectural appointments.

\*The term "Acquisition Cost" means the cost of acquiring a residence from the seller as a completed unit. The term does not include usual and reasonable settlement or financing costs. It does include the amount of any lien or assessment to which the home is subject .

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8. (I/We) will not use any part of the loan proceeds to acquire or replace an existing mortgage or loan which (I/we) have on the residence.
9. (I/We) will not allow the property to be transferred during the term of the loan without the approval of the California Housing Finance Agency, or other holder of the loan.
10. (I/We) have not previously been the borrower(s) of a CalHFA financed loan (not applicable if this is an assumption of a CalHFA/FHA loan).
11. (I/We) understand that the CalHFA approved sales price limits for existing houses are, in some counties of California, less than the CalHFA approved sales price limits for new construction. **THIS COULD RESULT IN A LOWER SALES PRICE LIMIT UPON THE TRANSFER OF THE HOME MORTGAGE THAN WAS ORIGINALLY PAID FOR THE RESIDENCE.** At the date of this Affidavit the CalHFA approved sales price for an **EXISTING** house in \_\_\_\_\_ County is \$\_\_\_\_\_.
12. (I/We) certify that (my/our) annualized gross income for the last calendar year is \_\_\_\_\_.
13. The Borrower will be required to make monthly payment into an impound account held by the Lender to pay for property taxes, hazard insurance and mortgage insurance.
14. (I/We) certify that (I/we) are citizens or other nationals of the United States or a qualified alien as defined in the Citizenship and Alien Verification regulations of the California Housing Finance Agency set forth in Title 25 of the California Code of Regulations, Division Z, Chapter 3 (Sections 12001, *et. seq.*) which implement federal legislations known as Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Pub. L. No. 104-193, 8 U.S.C. Sections 1601, *et. seq.*).

**15. (I/We) Certify that (my/our) Social Security Numbers are:**

_____ Name of Borrower #1	Social Security Number _____
_____ Name of Borrower #2	Social Security Number _____
_____ Name of Borrower #3	Social Security Number _____
_____ Name of Borrower #4	Social Security Number _____

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16. The following information is requested by the federal government. California law requires that such information, when collected, be broken down into more specific categories as described below. You are not required to furnish this information, but are encouraged to do so. The law provides that a lender may not discriminate on the basis of this information, or on whether you choose to furnish it.

<b>BORROWER #1</b>	<b>BORROWER #2</b>	<b>BORROWER #3</b>	<b>BORROWER #4</b>
I do not wish to furnish this information <input type="checkbox"/>	I do not wish to furnish this information <input type="checkbox"/>	I do not wish to furnish this information <input type="checkbox"/>	I do not wish to furnish this information <input type="checkbox"/>
<b>Gender</b> Male <input type="checkbox"/> Female <input type="checkbox"/>	<b>Gender</b> Male <input type="checkbox"/> Female <input type="checkbox"/>	<b>Gender</b> Male <input type="checkbox"/> Female <input type="checkbox"/>	<b>Gender</b> Male <input type="checkbox"/> Female <input type="checkbox"/>
<b>Ethnicity</b> <input type="checkbox"/> Not Hispanic or Latino <input type="checkbox"/> Hispanic or Latino	<b>Ethnicity</b> <input type="checkbox"/> Not Hispanic or Latino <input type="checkbox"/> Hispanic or Latino	<b>Ethnicity</b> <input type="checkbox"/> Not Hispanic or Latino <input type="checkbox"/> Hispanic or Latino	<b>Ethnicity</b> <input type="checkbox"/> Not Hispanic or Latino <input type="checkbox"/> Hispanic or Latino
<b>Race or National Origin</b> <input type="checkbox"/> American Indian or Alaskan Native  <input type="checkbox"/> Asian (specify) <input type="checkbox"/> Asian Indian <input type="checkbox"/> Cambodian <input type="checkbox"/> Chinese <input type="checkbox"/> Filipino <input type="checkbox"/> Guamanian <input type="checkbox"/> Hawaiian <input type="checkbox"/> Japanese <input type="checkbox"/> Korean <input type="checkbox"/> Laotian <input type="checkbox"/> Samoan <input type="checkbox"/> Vietnamese  <input type="checkbox"/> Black or African American  <input type="checkbox"/> White  <input type="checkbox"/> Other _____	<b>Race or National Origin</b> <input type="checkbox"/> American Indian or Alaskan Native  <input type="checkbox"/> Asian (specify) <input type="checkbox"/> Asian Indian <input type="checkbox"/> Cambodian <input type="checkbox"/> Chinese <input type="checkbox"/> Filipino <input type="checkbox"/> Guamanian <input type="checkbox"/> Hawaiian <input type="checkbox"/> Japanese <input type="checkbox"/> Korean <input type="checkbox"/> Laotian <input type="checkbox"/> Samoan <input type="checkbox"/> Vietnamese  <input type="checkbox"/> Black or African American  <input type="checkbox"/> White  <input type="checkbox"/> Other _____	<b>Race or National Origin</b> <input type="checkbox"/> American Indian or Alaskan Native  <input type="checkbox"/> Asian (specify) <input type="checkbox"/> Asian Indian <input type="checkbox"/> Cambodian <input type="checkbox"/> Chinese <input type="checkbox"/> Filipino <input type="checkbox"/> Guamanian <input type="checkbox"/> Hawaiian <input type="checkbox"/> Japanese <input type="checkbox"/> Korean <input type="checkbox"/> Laotian <input type="checkbox"/> Samoan <input type="checkbox"/> Vietnamese  <input type="checkbox"/> Black or African American  <input type="checkbox"/> White  <input type="checkbox"/> Other _____	<b>Race or National Origin</b> <input type="checkbox"/> American Indian or Alaskan Native  <input type="checkbox"/> Asian (specify) <input type="checkbox"/> Asian Indian <input type="checkbox"/> Cambodian <input type="checkbox"/> Chinese <input type="checkbox"/> Filipino <input type="checkbox"/> Guamanian <input type="checkbox"/> Hawaiian <input type="checkbox"/> Japanese <input type="checkbox"/> Korean <input type="checkbox"/> Laotian <input type="checkbox"/> Samoan <input type="checkbox"/> Vietnamese  <input type="checkbox"/> Black or African American  <input type="checkbox"/> White  <input type="checkbox"/> Other _____

**IF YOU CHOOSE NOT TO FURNISH THE ABOVE INFORMATION AND YOU HAVE MADE THIS APPLICATION IN PERSON, UNDER FEDERAL REGULATIONS THE LENDER IS REQUIRED TO NOTE YOUR RACE OR NATIONAL ORIGIN AND SEX ON THE BASIS OF VISUAL OBSERVATION OR SURNAME.**

(I/We) have read the Promissory Note and Deed of Trust, and (I/we) understand that the loan may be accelerated upon the occurrence of certain events specified therein.

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(I/We) understand that, if (I/we) have made any material misstatements in the foregoing representation or omitted to state any of the information requested, the following may occur:

1. The office of the district attorney will be contacted for investigation regarding misrepresentation and fraud.
2. The outstanding principal balance of the loan will be immediately due and payable together with accrued interest and foreclosure costs (if foreclosure is necessary because payment in full or the outstanding principal balance and accrued interest thereon is not made immediately).
3. The rate of interest on the loan from the date of discovery will, at the option of the holder, increase to the maximum amount permitted by law and the monthly payment amount will be increased to amortize the loan over the term of the original note.

**(I/We) declare under penalty of perjury that the foregoing warranties and representations are true and correct. Executed on the date or dates shown below.**

_____ Date and City	_____ Signature – Borrower #1
_____ Date and City	_____ Signature – Borrower #2
_____ Date and City	_____ Signature – Borrower #3
_____ Date and City	_____ Signature – Borrower #4

### **-LENDER STATEMENT-**

I have explained the contents of this affidavit to each of the Borrowers whose signature appears above, and I have no reason to believe that those individuals made any misstatements in the warranties and representations required to be made herein or omitted to state any of the information requested. If Borrower(s) chose not to furnish the following information, under Federal regulations Lender is required to note ethnicity, race and sex on the basis of visual observation or surname.

BORROWER #1	BORROWER #2	BORROWER #3	BORROWER #4
Male <input type="checkbox"/> Female <input type="checkbox"/>	Male <input type="checkbox"/> Female <input type="checkbox"/>	Male <input type="checkbox"/> Female <input type="checkbox"/>	Male <input type="checkbox"/> Female <input type="checkbox"/>
<b>Ethnicity:</b> <input type="checkbox"/> Not Hispanic or Latino <input type="checkbox"/> Hispanic or Latino	<b>Ethnicity:</b> <input type="checkbox"/> Not Hispanic or Latino <input type="checkbox"/> Hispanic or Latino	<b>Ethnicity:</b> <input type="checkbox"/> Not Hispanic or Latino <input type="checkbox"/> Hispanic or Latino	<b>Ethnicity:</b> <input type="checkbox"/> Not Hispanic or Latino <input type="checkbox"/> Hispanic or Latino
Race or National Origin: _____	Race or National Origin: _____	Race or National Origin: _____	Race or National Origin: _____

_____ Date and City	_____ Signature of Officer or Lender
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